

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHARON RANDOLPH,

Plaintiff,

v.

SERC, LLC and DONALD DREESEN,

Defendants.

Case No. \_\_\_\_\_

**NOTICE OF REMOVAL OF CIVIL  
ACTION AND DESIGNATION OF  
PLACE OF TRIAL**

COMES NOW Defendant SERC, LLC (“SERC”), by and through its undersigned attorneys, and pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, submits this Notice of Removal of Civil Action (“Notice”), thereby removing this case to the United States District Court for the District of Nebraska. In support of this Notice, SERC states as follows:

**TIMELINESS OF REMOVAL**

1. SERC has been named as a defendant in a civil action initially filed on August 30, 2022 in the District Court of Platte County, Nebraska, entitled *Sharon Randolph v. SERC, LLC and Donald Dreesen*, Case No. CI 22-367. A true and correct copy of the original Complaint in this action is attached to this Notice as [Exhibit 1](#). [See Doc. No. 1, Ex. 1].

2. SERC was not served with a copy of the original Complaint.

3. On October 11, 2022, Plaintiff filed an Amended Complaint, true and correct copy of the Amended Complaint in this action is attached to this Notice as [Exhibit 2](#). [See Doc. No. 1, Ex. 2].

4. The Amended Complaint added a cause of action under the Federal Fair Housing Act, 42 U.S.C. § 3601 et seq., which was not part of the original Complaint.

5. The undersigned counsel for SERC received notice of the filing of the Amended Complaint on October 11, 2022. Plaintiff served SERC with the Summons and the Amended Complaint on October 14, 2022. A true and correct copies of the Praecipe for Summons, the Summons and the Service Return for SERC are attached hereto as [Exhibits 3, 4, and 5](#), respectively. *[See Doc. No. 1, Ex. 3, 4, & 5].*

6. Plaintiff served Donald Dreesen with the Summons and the Amended Complaint on October 12, 2022. A true and correct copies of the Praecipe for Summons, the Summons and the Service Return for Dreesen are attached hereto as [Exhibits 6, 7 & 8](#), respectively. *[See Doc. No. 1, Ex. 6, 7, & 8].*

7. This Notice, filed within thirty days after Defendant's first receipt of a copy of the Amended Complaint, is timely under 28 U.S.C. § 1446(b).

8. This Court has original jurisdiction over this action under the provisions of 28 U.S.C. § 1331 in that Plaintiff's Amended Complaint alleges claims arising under federal law. Specifically, Plaintiff's Amended Complaint alleges claims under the federal Fair Housing Act, 42 U.S.C. § 3601 et seq. *[See Doc. No. 1, Ex. 2 ¶¶110–119].*

9. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367(a) over all other claims alleged by Plaintiff that are based on state law.

10. Written notice of the filing of this Notice will be given to Plaintiff, by and through her counsel of record, promptly after the filing of this Notice, as is required by law.

11. In accordance with 28 U.S.C. § 1446(b)(2), counsel for SERC has conferred with Donald Dreesen, and he consents to the removal.

12. A true and correct copy of this Notice will be filed with the Clerk of the District Court of Platte County, Nebraska, as is required by law.

13. By filing this Notice, SERC consents to removal of this action to the United States District Court for the District of Nebraska.

14. By filing this Notice, SERC does not waive any defenses and/or affirmative claims, counterclaims, or third-party claims that may be available to SERC.

**DESIGNATION OF PLACE OF TRIAL.**

SERC designates Lincoln, Nebraska as the place of trial.

WHEREFORE, Defendant SERC, LLC hereby removes the above-captioned case from the District Court of Platte County, Nebraska to the United States District Court for this District of Nebraska.

Dated November 10, 2022

SERC, LLC, Defendant

By: s/ Lily Amare  
Austin L. McKillip – #23212  
Lily Amare - #25735  
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**CERTIFICATE OF SERVICE**

I, Austin L. McKillip, hereby certify I electronically filed the foregoing on November 10, 2022, with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Kristina Kamler  
[kkamler@ekoklaw.com](mailto:kkamler@ekoklaw.com)

Earl G. Green, III  
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s/ Lily Amare

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